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15 UNITED STATES DISTRICT COURT  
16 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION  
17

18 JOHN D. HALTIGAN,  
19 Plaintiff,  
20 vs.  
21 MICHAEL V. DRAKE, in his official capacity  
as President of the University of California;  
22 CYNTHIA K. LARIVE, in her official  
capacity as Chancellor of UC Santa Cruz;  
23 BENJAMIN C. STORM, in his official  
capacity as Chair of the UC Santa Cruz  
24 Psychology Department; and KATHARYNE  
MITCHELL, in her official capacity as Dean  
25 of the UC Santa Cruz Division of Social  
Sciences,  
26 Defendants.  
27

Case No. 5:23-cv-02437-EJD

**JOINT REQUEST TO CONTINUE  
INITIAL CASE MANAGEMENT  
CONFERENCE**

Judge: Hon. Edward J. Davila  
Action Filed: May 18, 2023  
Initial CMC: September 28, 2023

28

1                   **JOINT REQUEST TO CONTINUE CASE MANAGEMENT CONFERENCE**

2                   WHEREAS, Plaintiff filed his First Amended Complaint (“FAC”) on June 19, 2023;

3                   WHEREAS, Plaintiff and Defendants stipulated pursuant to Local Rule 6-1 to extend  
4 Defendants’ deadline to answer or otherwise respond to the FAC until August 7, 2023;

5                   WHEREAS, Defendants filed a Motion to Dismiss the FAC on August 7, 2023 and that  
6 motion is currently scheduled for a hearing on October 12, 2023;

7                   WHEREAS, the Initial Case Management Conference in this case is currently scheduled  
8 for September 28, 2023;

9                   WHEREAS, as scheduled, the Initial Case Management Conference will go forward before  
10 the Court has heard the Defendants’ Motion to Dismiss;

11                  WHEREAS, the Parties agree that it would be more efficient for the Initial Case  
12 Management Conference to be held after the hearing on the motion to dismiss;

13                  WHEREAS, judicial economy favors continuing the Initial Case Management Conference;

14                  WHEREFORE, the Parties respectfully request that the Initial Case Management  
15 Conference in this case be continued to December 7, 2023 at 10:00 a.m., or any date thereafter that  
16 is convenient for the Court, and that all deadlines associated with the Initial Case Management  
17 Conference also be continued based on the new date for the Initial Case Management Conference.

18                  DATED: August 16, 2023  
19

20                  **PACIFIC LEGAL FOUNDATION**

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26                  *Attorneys for Plaintiff*  
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20                  **MUNGER, TOLLES & OLSON LLP**

21                  */s/ Bryan H. Heckenlively*  
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26                  *Attorneys for Defendants*

## **FILER'S ATTESTATION**

Pursuant to Local Rule 5-1(i)(3), I certify that all other signatories listed, and on whose behalf the filing is submitted, concur in this filing's content and have authorized this filing.

By: /s/ Bryan H. Heckenlively  
BRYAN H. HECKENLIVELY  
Attorneys for Defendants

1 **PURSUANT TO THE JOIN REQUEST, IT IS SO ORDERED.**

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3 Dated: \_\_\_\_\_

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The Honorable Edward J. Davila  
United States District Court Judge